

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TROY D. NEWTON,

Plaintiff,

vs.

NATIONAL WARRANTY OF FLORIDA,
INC.; LYNDON PROPERTY INSURANCE
CO., INC.; CHRIS CHISM; CENTRO
INSPECTION AGENCY; RONALD
BECKER; et al.,

Defendants.

CIVIL ACTION NO. CV-_____

AFFIDAVIT OF CHRISTOPHER A. CHISAM

STATE OF COLORADO)

COUNTY OF JEFFERSON)

Before me, the undersigned Notary Public, personally appeared Chris Chisam, incorrectly designated above as "Chris Chism," who having been duly sworn by me, deposes and says as follows:

1. My name is Chris Chisam. I am of sound mind, and I understand the taking of an oath. I have personal knowledge of every statement in this affidavit, all of which are true and correct, and I am fully competent and authorized to testify to the matters stated herein. I am over the age of 18 years.

2. I am a resident of Centennial, Colorado. I have resided in the state of Colorado for the past 14 years.

3. I am an employee of PSA Group, Inc., which is headquartered in Denver, Colorado. As an employee of PSA Group, Inc., my responsibilities include adjusting claims for National Warranty of Florida, Inc. ("National Warranty"), a Florida corporation which is a wholly owned subsidiary of PSA Group, Inc.

4. As a claims adjuster for National Warranty, I am familiar with its business, and more specifically, its business transactions in the state of Florida. I have never individually or personally transacted business with Plaintiff. On my behalf, I have never entered into a contract with Plaintiff.

5. I have not conducted any business, either on my individual behalf or on behalf of National Warranty, in the state of Alabama.

6. I did not warrant and was not a party to the warranty entered into by Plaintiff regarding the motor home made the basis of this litigation.

7. I have never traveled to or been present in the state of Alabama.

8. I have never, personally or through an agent, transacted business in the state of Alabama.

9. I have never, personally or through an agent, contracted to supply services or goods in Alabama.

10. I have never, personally or through an agent, had an interest in, used or possessed real property in the state of Alabama.

11. I have never, personally or through an agent, contracted to insure any person, property or risk located within the state of Alabama.

12. I have never lived in a marital relationship within the state of Alabama or had any obligations arising from alimony, custody, child support, or property settlement in the state of Alabama.

13. I have never, personally or through an agent, been sued in the capacity of guardian of award or executor, administrator, or other personal representative of an estate, for the acts or omissions of a decedent award in the state of Alabama.


14. I have never caused tortious injury or damage by an act or omission in the state of Alabama.

15. I have never caused tortious injury in the state of Alabama by an act or omission outside of the state of Alabama.

16. I have never, personally or through an agent, solicited business or engaged in any other course or conduct or derived substantial revenue from goods used or consumed or services rendered in the state of Alabama.

17. For numerous reasons, including the fact that I had no personal business dealings with Plaintiff and I did not warrant and was not a party to the warranty regarding the motor home at issue, I could not have reasonably anticipated being haled into Alabama courts on account of National Warranty's business relationship with Plaintiff.


Further, Affiant saith not.


Chris Chisam

STATE OF COLORADO)
COUNTY OF Jefferson)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Chris Chisam, who is known to me, who, after being duly sworn, deposes and says that he has read the above and foregoing Affidavit, and that said facts stated therein are true to the best of his knowledge and belief.

Sworn to and subscribed before me this 22 day of November 2005.


Notary Public
My Commission Expires: 2/25/08
(OFFICIAL NOTARY SEAL)

